

REGULAR MEETING

September 8, 2008

The Regular Meeting of the Annapolis City Council was held on September 8, 2008 in the Council Chamber. Mayor Moyer called the meeting to order at 7:30 p.m.

Present on Roll Call: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

Staff Present: Assistant City Attorney Kling

- Alderman Arnett moved to approve the Journal of Proceedings for Regular Meeting of July 14, 2008, Special/Closed Meeting of July 28, 2008 and Special Meeting of July 28, 2008. Seconded. CARRIED on voice vote.

*Closed
Session*

Statement: Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-508(a)(1)(i) this statement is included in these minutes:

A closed session of the City Council was held at 6:34 p.m., Monday, July 28, 2008 in the City Council Chamber.

Present: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Stankivic, Shropshire, Arnett,

Absent: Alderman Cordle

Staff Present: City Attorney Spencer, Human Resources Director Milburn, City Administrator Agee, City Clerk Watkins-Eldridge

By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(1)(i). The purpose of the meeting was to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction. Action taken: Following discussion, Alderman Arnett moved to confirm the Mayor's appointment of Michael Pristoop as Chief of Police. Seconded. Carried by unanimous consent.

Presentation by
The Junior League of Annapolis

Colleen Wood, 600 Hidden Pond Lane, Severna Park, Maryland 21146 spoke in favor of R-38-08

The order of the agenda was amended to allow for R-38-08

R-38-08 For the purpose of designating A Thyme to Entertain, published by the Junior League of Annapolis, as an "official book" of the City of Annapolis.

- Alderman Cordle moved to adopt R-38-08 on first reading. Seconded. CARRIED on voice vote.

There being no voiced objection, the rules were suspended to allow passage of the resolution at the meeting of its introduction.

- Alderwoman Finlayson moved to adopt R-38-08 on second reading. Seconded.
- Alderman Israel moved to amend R-38-08 as follows:

On page 1, in lines 13, and 30 insert after the word official “cook”

Seconded. CARRIED on voice vote.

The main motion amended A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone,
Cordle, Stankivic, Shropshire, Arnett

NAYS:

CARRIED: 9/0

The meeting was recessed at 7:39 p.m. and reconvened at 7:56 p.m.

The order of the agenda was resumed.

PETITIONS, REPORTS AND COMMUNICATIONS

Tony Evans, 3 Constitution Square, Annapolis, Maryland 21401 spoke in opposition to CA-03-08, CA-01-08 and in favor of R-39-08

LEGISLATIVE ACTION

Charter Amendment

CA-01-08 For the purpose of clarifying the role of the Mayor as chief executive officer and the City Administrator as chief administrative officer; enhancing the supervisory powers of City Administrator with respect to departmental directors; barring the Mayor and Aldermen from directing the work of departmental directors; providing that the dismissal of the City Administrator must be approved by the mayor and four or more aldermen; requiring the Mayor to include funding in the annual operating budget to provide professional and administrative assistance to the aldermen; and generally relating to the powers and duties of the elected and appointed officials.

- Alderman Israel moved to postpone CA-01-08 on second reading until after the 2nd public hearing to be scheduled for the Special Meeting on October 27, 2008. Seconded. CARRIED on voice vote.

CA-03-08 For the purpose of amending the Charter of the City of Annapolis to establish the office of City Manager; establishing the prerequisite qualifications of the City Manager; providing for the appointment and termination of the City Manager; specifying the powers and duties of the City Manager; providing for the non-interference by the Mayor and Aldermen with the City Manager in the performance of his duties; providing for the designation of an acting City Manager under certain circumstances; establishing the City Manager as a position within the exempt service; redefining the powers and duties of the Office of the Mayor; and all matters related thereto.

- Alderman Stankivic moved to adopt CA-03-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government Committee

Ordinances

O-16-08 For the purpose of requiring that labor negotiations affecting the City’s budget must be negotiated and submitted to the Mayor by the first Monday in February to allow the Mayor adequate time to include the results of such

**negotiations in the proposed budget for the effective fiscal year or years;
and all other matters concerning labor negotiations.**

- Alderman Arnett moved to adopt O-16-08 on second reading. Seconded.

The Public Safety and Rules and City Government Committee reported favorable with amendments on O-16-08.

- Alderman Israel moved to amend O-16-08 as follows:

On page 2, in line 12 to strike the word “in” and substitute “not later than” Seconded.
CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

- Alderman Shropshire moved to adopt O-16-08 amended on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic,
Shropshire, Arnett

NAYS:

ABSTAIN: Mayor Moyer

CARRIED: 8/0/1

**O-17-08 For the purpose of establishing staff that reports directly to the Aldermen; and
all other matters concerning staff to the City Council.**

- Alderman Israel moved to substitute O-17-08 Revised on second reading. Seconded.
CARRIED on voice vote.

- Alderman Arnett moved to adopt O-17-08 Revised on second reading. Seconded.

The Rules and City Government Committee reported favorably on O-17-08 Revised.

The main motion as CARRIED on voice vote.

- Alderman Arnett moved to adopt O-17-08 Revised on third reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Shropshire,
Arnett

NAYS: Aldermen Stankivic

ABSTAIN: Mayor Moyer

CARRIED: 7/1/1

**O-30-08 For the purpose of clarifying the duties of the Department of Neighborhood and
Environmental Programs and the Public Works Administration throughout Title
17 of the Code of the City Annapolis; and all other matters concerning inspections,
permits, and public works.**

- Alderman Shropshire moved to adopt O-30-08 on first reading. Seconded. CARRIED
on voice vote.

Referred to the Economic Matters and Environmental Matters Committees.

O-31-08 For the purposes of reducing the Homestead Credit Percentage from one hundred

ten percent (110%) to one hundred five percent (105%) in the City of Annapolis; and matters generally relating to said Homestead Credit Percentage.

- Alderman Arnett moved to adopt O-31-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

O-32-08 For the purpose of reclassifying certain positions within the exempt service of the City of Annapolis so as to reflect current upgrades; adding new positions to the exempt service by assigning the paralegal, police major, and four (4) police captain positions to the exempt service; permitting department directors to designate salary and exercise oversight over certain exempt positions; and all matters related to the City of Annapolis Exempt Service.

- Alderman Shropshire moved to adopt O-32-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules and City Government and Public Safety Committees.

O-33-08 For the purpose of encouraging energy efficiencies improvements and renewable energy production by establishing a program which will direct the Director of Finance to add up to 100% of privately-financed energy efficiencies improvements to a property's tax bill; and all matters generally relating to energy efficiency improvements and renewable energy production.

- Alderman Arnett moved to adopt O-33-08 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance and Environmental Matters Committees.

O-34-08 For the purposes of reducing the Homestead Credit Percentage from one hundred ten percent (110%) to one hundred two percent (102%) in the City of Annapolis; and matters generally relating to said Homestead Credit Percentage.

- Alderman Paone moved to adopt O-34-08 on first reading. Seconded. CARRIED on voice vote.

Referred to Finance Committee (request for Fiscal Impact Note)

Resolutions

R-37-08 For the purpose of accepting a Maryland Improvement Program Award of \$12,000.00 from the Department of Housing and Community Development of the State of Maryland to be used for a façade improvement program in the Annapolis Main Street Area.

- Alderman Shropshire moved to adopt R-37-08 on second reading. Seconded.

A ROLL CALL vote was taken:

YEAS: Mayor Moyer, Alderwomen Hoyle, Finlayson, Aldermen Israel, Paone, Cordle, Stankivic, Shropshire, Arnett

NAYS:

CARRIED: 9/0

R-36-08 For the purpose of expressing support for an initiative to encourage emergency

efficiency and renewable energy generation efforts among individuals, small businesses, and non-profits in order to achieve an energy efficiency City.

- Alderman Arnett moved to adopt R-36-08 on first reading. Seconded. CARRIED on voice vote.

R-39-08 For the purpose of creating a Blue Ribbon Commission to study the merits of the various forms of government, including strong mayor and weak mayor systems, mayoral or city manager forms of government in the City of Annapolis, and make recommendations to the City Council; and all matters relating to said commission.

- Alderwoman Finlayson moved to adopt R-39-08 on first reading. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

1. **Preliminary Hearing - Petition for Annexation; Dee Corp., a Maryland Corporation**

- Alderman Arnett moved that the applicants work with the Finance, Public Works, and Planning and Zoning Departments to provide the necessary studies for proper consideration of this Petition. Seconded. CARRIED on voice vote.

2. **Appointments**

9/8/08 Ethics Commission L. Robert Marchand

- Alderman Paone moved to withdraw the Mayor's appointment of L. Robert Marchand. Seconded. CARRIED on voice vote.

3. **Approval of Minutes**

a. Civil Service Board Meeting, August 18, 2008

- Alderman Cordle moved the acceptance of the Minutes of the Civil Service Board Meeting for August 18, 2008. Seconded. CARRIED on voice vote.

4. **Budget Revisions**

No Action

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:40 p.m.

Regina C. Watkins-Eldridge, CMC
City Clerk